

Appl. No. : **10/748,869**
Filed : **December 30, 2003**

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings include changes to Figures 1A-9B in which the Figures have been formalized as requested by the Examiner.

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REMARKS

In response to the Office Action mailed March 24, 2005, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Drawings

The Examiner objected to the drawings as being informal. Accordingly, with this Amendment, Applicant is submitting replacement drawings in which the drawings have been formalized as requested by the Examiner. For example, the solid black shading has been removed and proper cross-sections have been used. With respect to element 174, the specification has been amended.

Double Patenting Rejections

Claims 12-17 and 30-34 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of USPN 6,769,913. Applicant respectfully disagrees with this rejection. However, as explained below, these claims have been amended. Accordingly, Applicant respectfully submits that the double patenting rejection is no longer applicable.

Rejections based on prior art

Claims 1, 2, 4-11 and 28-29 stand rejected under 35 U.S.C. 102(b) as anticipated by Hurson (WO 01/85050). Claims 2 and 3 are rejected as being obvious over Hurson in view of Kamiya et al (USPN 5,205,745). Claims 18-27 and 35 stand rejected as being obvious over Hurson in view of Marlin (USPN 5,135,395). Applicant respectfully disagrees with the rejection of these claims. Nevertheless, as outlined below, Applicant has amended the pending claims. Applicant reserves the right to pursue Claims 1-35 in their original or similar form in a continuing application.

As amended, Claim 1 recites, in part, a dental implant system comprising a dental implant with an abutment portion in which "the abutment portion include[es] a bone apposition surface having a top edge with a scalloped shape."

As amended Claim 28, recites, in part, "inserting a distal end of a body portion of a single stage dental implant having a body portion and an abutment portion into a patient's jawbone during a first stage surgery, the abutment portion having a bone apposition surface having a top edge that closely approximates the shape of the naturally occurring contours of a patient's

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bone-tissue morphology; [and] aligning the top edge of the bone apposition surface with the contours of the patient's bone-tissue morphology."

The cited art does not (alone or in combination) disclose a dental implant or a method of installing a prosthetic tooth with the above-noted limitations. For at least this reason, Applicant submits that Claims 1 and 28 are in condition for allowance. Claims 2-27 and 29-35 depend upon Claims 1 and 28 respectively and, for at least this reason, these claims are also in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.


The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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